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7  
8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 LAS VEGAS REGIONAL SURGERY  
11 CENTER, L.P., a Nevada limited partnership,

12 2:18-CV-00093-RFB-(NJK)

13 Plaintiff,

*Stipulation and Order to Extend Time to File  
Response to Defendant's Motion to Dismiss  
Plaintiff's First Amended Complaint Pursuant  
to F.R.C.P. Rule 12(b)(6) and the Reply in  
Support*

14 vs.

(Second Request)

15 BLUE CROSS OF COLORADO, a business  
16 organization, form unknown, and DOES 1-10,

17 Defendants.

18 In accordance with LR IA 6-1, LR 7-1(a), and 7-2, the parties stipulate as  
19 follows:

20 1. On October 9, 2018, Rocky Mountain Hospital and Medical Service,  
21 Inc. doing business as Anthem Blue Cross and Blue Shield, erroneously named as  
22 Blue Cross of Colorado, filed Defendant's Notice of Motion and Motion to Dismiss  
23 Plaintiff's First Amended Complaint Pursuant to F.R.C.P. Rule 12(b)(6) and 12(e)  
24 (ECF No. 32). In accordance with LR 7-2(b), the plaintiff, Las Vegas Regional  
25 Surgery Center, L.P., had up to and including October 23, 2018, to file a response to  
26 the motion. On October 23, 2018, this Court entered a Stipulation and Order to  
27 Extend Time to File Response to Defendant's Motion to Dismiss Plaintiff's First  
28 Amended Complaint Pursuant to F.R.C.P. Rule 12(b)(6) and the Reply in Support  
(ECF No. 34). Under the stipulation, this Court extended the time for Las Vegas

1 Regional Surgery Center to file a response to the motion to dismiss until November  
2 6, 2018. And this Court extended the time for Blue Cross to file a reply until  
3 November 15.

4 2. Because counsel for Las Vegas Regional Surgery Center had a family  
5 emergency, he asked for an additional extension of time until November 12, 2018, to  
6 file a response to the motion. Blue Cross agreed to the extension.

7 3. But because Blue Cross's counsel will be out of the office she asked for  
8 an extension of time until December 3, 2018, to file the reply. Las Vegas Regional  
9 Surgery Center agreed to the extension.

10 4. The parties have agreed to these extensions for good cause and not  
11 solely for the purpose of delay.

12 5. This is the second request for an extension of time to file an opposition  
13 to the motion to dismiss.

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1       6. Hence the parties stipulate that Las Vegas Regional Surgery Center  
2 shall have up to and including November 12, 2018, to file a response to the motion.  
3 And Blue Cross may file a reply in support of the motion on or before December 3,  
4 2018.

5                   DATED this 5th day of November 2018.

6                   DAVID J. MERRILL, P.C.

7                   MESERVE MUMPER & HUGHES LLP

8                   By: /s/ David J. Merrill  
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15                  By: /s/ Anna Maria Martin  
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21                  Attorneys for Defendant

22                   IT IS SO ORDERED:

23                     
24                  HONORABLE RICHARD F. BOULWARE, II  
25                  UNITED STATES DISTRICT JUDGE

26                  DATED: November 7, 2018.